

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-4613 of 2017
Date of decision :- 16.02.2017**

Chhinda SinghPetitioner

versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.P.S. Tinna, Advocate
for the petitioner

Ms Manpreet Dhaliwal, A.A.G, Punjab

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 87 dated 08.04.2016, registered at Police Station City-I, Abohar, District Fazilka, who has been booked for having committed the offence punishable under Section 306/379/34 IPC.

The allegation against the petitioner that he harassed and gave beatings to the wife of the complainant on 07.04.2016 and due to which she committed suicide by hanging herself.

Learned counsel contends that neither the complainant informed the police about the incident nor got any medical conducted for the alleged beatings caused by the petitioner. Further after investigation, Mango, Surjit Kaur and Raju were found innocent and they were kept in column No. 2. Learned counsel contends that no offence under Section 306 IPC is made out against the petitioner.

Learned State counsel on instructions from ASI Banta Singh submits that after presentation of the challan, charges have been framed and out of 14 witnesses, 01 have been examined in chief. Further prosecution has made an application under Section 319 Cr.P.C for summoning the other accused.

Heard.

A perusal of the F.I.R shows that there was a fight in street No. 8 in Abohar where the petitioner had beaten the wife of the complainant and next morning, she committed suicide. There is neither any history of earlier any quarrel or altercation etc between the parties and there cannot be any intention to provoke, incite or encourage the doing of an act.

Petitioner is in custody since 15.04.2016

Keeping in view the fact that the trial is likely to take some time to conclude, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Fazilka.

16.02.2017

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No